

CHAPTER 32.

GRANTING RIGHT OF WAY TO STREET RAILROAD COMPANIES.

H. F. 161.

AN ACT Granting to Street Railway Companies, Organized under the Laws of this State, the Right of Way over Certain Public Highways.

Be it enacted by the General Assembly of the State of Iowa:

Authorizing the use of highways beyond the limits of city, where the road is 100 feet wide.

Company shall put said highway in good repair.

Duties of boards of supervisors.

Company shall pay all damages.

Publication.

SECTION 1. That any street railway company now or hereafter organized under the laws of this state to operate a street railway in any city or incorporated town in this state, for the purpose of extending its railway beyond the limits of such city or town, may locate, build and operate either by animal or motor power, its road over and along any portion of a highway which is of a width of one hundred feet or more. In such cases said company as soon as practicable shall put said highway in as good repair and condition as the same was before its use for the purpose herein contemplated; and boards of supervisors are hereby authorized to accept for highway purposes under this act conveyances of land adjoining any highway or part thereof sufficient to increase said highway to the width of one hundred feet.

SEC. 2. Unless the owners of the land abutting each *site* [side] of said highway shall consent to its use as contemplated in section one (1), said railway company shall pay all damages sustained by such land owners by reason of building said road, which damages shall be ascertained and paid in the same manner as provided for taking private property for works of internal improvement. Said company shall also be liable for all damages sustained by any one resulting from the carelessness of its officers, agents, or servants, in the construction or operation of its railway.

SEC. 3. This act, being deemed of immediate importance, shall be in force from and after its publication in the Iowa State Register and Iowa State Leader, newspapers published at Des Moines, Iowa.

Approved, March 12, 1880.

I hereby certify that the foregoing act was published in the *Iowa State Register*, March 16, 1880, and *Iowa State Leader*, March 15, 1880.
J. A. T. HULL, *Secretary of State*.